

**Amendment No. 1 to HB1949**

**Watson**  
**Signature of Sponsor**

**AMEND Senate Bill No. 1861\***

**House Bill No. 1949**

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-13-101(b)(1), is amended by deleting the subdivision in its entirety, substituting instead the following and redesignating the subsequent subdivision accordingly:

(1) Assault committed under subdivisions (a)(1) or (a)(2) is a Class A misdemeanor; provided, however, that if the victim was an elder person, a violation is a Class E felony.

(2) Assault committed under subdivision (a)(3) is a Class B misdemeanor; provided, however, that if the victim was an elder person, a violation is a Class A misdemeanor.

(3) If the offense is committed against a law enforcement officer or a health care provider acting in the discharge of the provider's duty, then the maximum fine shall be five thousand dollars (\$5,000).

SECTION 2. Tennessee Code Annotated, Section 39-13-101(c), is amended by deleting the subsection and substituting instead the following:

(c) For purposes of this section and § 39-13-102:

(1) "Elder person" means:

(A) A person who is seventy-five (75) years of age or older; or

(B) A person who is sixty-five (65) years of age or older and vulnerable due to a physical or mental condition; and

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(2) "Health care provider" means a person who is licensed, certified or otherwise authorized or permitted by the laws of this state to administer health care in the ordinary course of business in the practicing of a profession.

SECTION 3. Tennessee Code Annotated, Section 39-13-102(e)(1)(A), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(A) Aggravated assault under:

(i) Subsection (d) is a Class A misdemeanor; provided, however, that if the victim was an elder person, as defined by § 39-13-101, a violation is a Class E felony;

(ii) Subdivision (a)(1)(A)(i), (iii), or (iv) is a Class C felony; provided, however, that if the victim was an elder person, as defined by § 39-13-101, a violation is a Class B felony;

(iii) Subdivision (a)(1)(A)(ii) is a Class C felony; provided, however, that if the victim was an elder person, as defined by § 39-13-101, a violation is a Class B felony;

(iv) Subdivision (b) or (c) is a Class C felony; provided, however, that if the victim was an elder person, as defined by § 39-13-101, a violation is a Class B felony;

(v) Subdivision (a)(1)(B)(i) or (iii) is a Class D felony; provided, however, that if the victim was an elder person, as defined by § 39-13-101, a violation is a Class C felony; and

(vi) Subdivision (a)(1)(B)(ii) is a Class D felony; provided, however, that if the victim was an elder person, as defined by § 39-13-101, a violation is a Class C felony.

SECTION 4. This act shall take effect July 1, 2014, the public welfare requiring it.